THE HON'BLE MS JUSTICE G.ROHINI

–

WRIT PETITION NO : 8928 of 2004

Dated:12-09-2005

Between:

Ahmed Khan.

..Petitioner.

And

The Revenue Divisional Officer, Bodhan, Nizamabad District and another.

..Respondents.

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8928 of 2004

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

The petitioner is a fair price shop dealer in respect of Neela-II village of Renjal Mandal, Nizamabad District. This writ petition has been filed aggrieved by the order dated 29-04-2004 passed by the first respondent-Revenue Divisional Officer, Bodhan, which runs as under:

> "In view of above the authorization of Sri Ahmed Khan, F.P.S. dealer Neela-II of Renjal Mandal is hereby suspended temporarily with immediate effect till further orders. The Mandal Revenue Officer, Renjal is requested to make alternative arrangements till further orders".

The learned counsel for the petitioner contended that since the impugned order is substantive in nature, by way of punishment, the first respondent ought to have afforded a prior opportunity to the petitioner to submit his explanation against the allegations.

Since no such procedure has been followed, this Court having found a prima facie case, by an order dated 11-5-2004, granted interim stay of the impugned proceedings, which is in operation till today.

In the circumstances, without expressing any opinion as to the correctness of the allegations made against the petitioner, I deem it appropriate to dispose of the writ petition with a direction to the first respondent-Revenue Divisional Officer, Bodhan to complete the enquiry initiated against the petitioner, if not already completed, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. Till such time, the impugned order dated 29-04-2004 shall not be given effect to.

Accordingly, the writ petition is disposed of. No order as to costs.

_____

12-09-2005

sj